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FLUOR

June 27, 2006

Fernald Closure Project
Letter No. C:BSOP(CA/PC):2006-0041

Mr. Timothy L. Jones, Contracting Officer
U. S. Department of Energy
EM Consolidated Business Center
250 East Fifth Street, Suite 500
Cincinnati, Ohio 45202

Dear Mr. Jones:

**CONTRACT DE-AC24-01OH20115, TRANSMITTAL OF THE REVISED COMPREHENSIVE LEGACY
MANAGEMENT AND INSTITUTIONAL CONTROLS PLAN, REVISION 1, FINAL AND RESPONSES
TO U.S. AND OHIO ENVIRONMENTAL PROTECTION AGENCY COMMENTS ON THE LEGACY
MANAGEMENT AND INSTITUTIONAL CONTROLS PLAN, FINAL, REVISION 0**

- References: 1) Email, J. Saric to J. Reising, "Additional Comments on the LMICP, Rev D," dated May 18, 2006
- 2) Letter, J. Saric to J. Reising, "U.S. Environmental Protection Agency Comments on Comprehensive Legacy Management and Institutional Controls Plan Volume I and II (20013-PL-0001) Revision 0, Final," dated April 30, 2006
- 3) Letter, T. Schneider to J. Reising, "Ohio Environmental Protection Agency Technical Review Comments on the Final Comprehensive Legacy Management and Institutional Controls Plan, Revision 0, Final," dated March 30, 2006
- 4) Letter, J. Saric to J. Reising, "LMICP Revision D Extension Request," dated May 2, 2006
- 5) Letter, J. Reising to J. Saric, T. Schneider, D. Duvalt, "Transmittal of Responses to U.S. and Ohio Environmental Protection Agency Comments of the Final Legacy Management and Institutional Controls Plan, Revision 0", dated May 31, 2006

This letter transmits to the U.S. Department of Energy (DOE) the Final Comprehensive Legacy Management and Institutional Controls Plan (LMICP), Revision 1 and the associated comment response document (Enclosure 1) to address U.S. Environmental Protection Agency (EPA) and Ohio Environmental Protection Agency (OEPA) comments (References 1

through 3). Per agreements with EPA and OEPA, it will be necessary to submit this revised LMICP and comment response document by June 30, 2006 (Reference 4).

The revised LMICP primarily incorporates text included in the comment response document. Updates to the documents (Volume I, Volume II, and Volume II attachments) are identified in summary tables of changes (Enclosure 2), which are included as an enclosure to this transmittal letter. Note that during the revision of these documents, several of the draft comment responses, previously submitted to the EPA and OEPA (Reference 5), needed to be slightly modified. These modifications are indicated in the comment response document through track changes in order to facilitate the review.

Some of the additional modifications to the documents include references to Legacy Management documents such as the:

- Office of Legacy Management Sampling and Analysis Plan (OLM SAP)
- Fernald Legacy Management Health and Safety Plan
- Legacy Management CERCLA Site Quality and Assurance Project Plan (LM QAPP)

It should be noted that the Fernald site Sitewide CERCLA Quality Assurance Project Plan (SCQ) will be referenced in the LM QAPP. The SCQ will be in place post-closure with some document change requests (DCRs) to address necessary updates (e.g., LM Oracle database SEEPro will be in use rather than the current oracle database SED). The DCRs to the SCQ will be submitted and discussed with the EPA and OEPA this summer.

As indicated above, all support plans that are included with the LMICP have been updated and are included in this final version. The LMICP goes into effect the day the DOE Office of Legacy Management (DOE-LM) takes over operational responsibility of the Fernald site. This will occur when the DOE Office of Environmental Management (DOE-EM) makes a determination of reasonableness on Fluor Fernald's Declaration of Physical Completion (DPC). This document reflects what the conditions will be onsite when DOE-LM assumes operational responsibility. The DOE-LM has been working closely with the DOE-EM and Fluor Fernald, Inc., to develop the LMICP. The Office of Legacy Management is currently scheduled to take over management of the site in August 2006.

For the June 2006 LMICP submittal, each document (attachment/support plan), included as part of the LMICP, is written to address final remediation and post-closure activities. During October 2006, necessary updates to address further post-closure refinements will be made through change pages or document re-submittals as necessary. Upon EPA and OEPA approval, it is anticipated that the LMICP will be FINAL each year by January to correspond with calendar year monitoring and reporting (between October and January, EPA and OEPA comments will be addressed).

The future LMICP schedule will be as follows:


- Each June the annual site environmental reports will be submitted that will make recommendations based on the previous years monitoring information.
- Each October, an annual review of the LMICP will be submitted to identify updates as necessary.

- Each January, the document will be finalized to correspond with the monitoring and reporting schedule.

After submittal of the full document in June 2006, the next full revision will occur in October 2007. Additionally, pertinent information associated with the CERCLA five-year reviews will be included in the LMICP revisions as needed.

Upon your concurrence, please forward on to EPA and OEPA. If you have any questions regarding this matter, please contact Jyh-Dong Chiou at 513-738-2834.

Sincerely,


Dennis Sizemore, Manager
Prime Contract

DS:JDC:CT:ldt

Enclosure

c: With Enclosure

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File Record Subject – Comprehensive Legacy Management and Institutional Control Plan
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Without Enclosure

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